will be made by the head of the organizational unit having immediate custody of the records requested or an official designated by this official. This is indicated in the appropriate system notice in ''Privacy Act Issuances'' published annually by the Office of the Federal Register. Requests for information and specific guidance on where to send requests for records may be mailed or delivered personally to: Privacy Act Request, Manager, Dissemination Branch, Information Management & Services Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

(c) *Requests for amendment of records.* Initial determinations under 31 CFR 1.27(a) through (d), whether to grant requests to amend records will be made by the head of the organizational unit having immediate custody of the records or the delegate of such official. Requests for amendment should be addressed to: Privacy Act Amendment Request, Manager, Dissemination Branch, Information Management & Services Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

(d) *Administrative appeal of initial determinations refusing amendment of records.* Appellate determinations refusing amendment of records under 31 CFR 1.27(e) including extensions of time on appeal, with respect to records of the Office will be made by the Director of the Office of Thrift Supervision (''Director'') or Chief Counsel or the delegate of the Director or Chief Counsel. Appeals made by mail should be addressed to, or delivered personally to: Privacy Act Amendment Appeal, Deputy Chief Counsel for General Law, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

(e) *Statements of disagreement.* ''Statements of Disagreement'' under 31 CFR 1.27(e)(4)(i) shall be filed with the Deputy Director for Washington Operations at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

(f) *Service of process.* Service of process will be received by the Chief Counsel's Office or the delegate of such official and shall be delivered to the following location: Chief Counsel's Office,

Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

(g) *Annual notice of systems of records.* The annual notice of systems of records is published by the Office of the Federal Register, as specified in 5 U.S.C. 552a(f). The publication is entitled ''Privacy Act Issuance.'' Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR 1.26 and 1.27 are indicated in the notice for the pertinent system.

[54 FR 49443, Nov. 30, 1989, as amended at 59 FR 18475, Apr. 19, 1994; 64 FR 69184, Dec. 10, 1999]

§ 503.2 Exemptions of records containing investigatory material compiled for law enforcement purposes.

(a) *Scope.* The Office has established a system of records, entitled the ''Confidential Individual Information System.'' The purpose of this system is to assist the Office in the accomplishment of its statutory and regulatory responsibilities in connection with supervision of savings associations. This system will be exempt from certain provisions of the Privacy Act of 1974 for the reasons set forth in paragraph (c) of this section.

(b) *Exemptions Under 5 U.S.C. 552a(k)(2).* (1) Pursuant to 5 U.S.C. 552a(k)(2), the head of an agency may issue rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the system contains investigatory material compiled for law enforcement purposes.

(2) Provisions of the Privacy Act of 1974 from which exemptions will be made under 5 U.S.C. 552a(k)(2) are as follows:

(i) 5 U.S.C. 552a(c)(3);

(ii) 5 U.S.C. 552a(d)(1), (d)(2), (d)(3), and (d)(4);

(iii) 5 U.S.C. 552a(e)(1);

(iv) 5 U.S.C. 552a(e)(4)(G), (e)(4)(H), and (e)(4)(I); and

(v) 5 U.S.C. 552a(f).

(c) *Reasons for exemptions under 5 U.S.C. 552a(k)(2).* (1) 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request. These accountings must state the date, nature, and purpose of

each disclosure of a record and the name and address of the recipient. The application of this provision would make known to subjects of an investigation that an investigation is taking place and that they are the subjects of it. Release of such information could result in the alteration or destruction of documentary evidence, improper influencing of witnesses, and reluctance of witnesses to offer information, and could otherwise impede or compromise an investigation.

(2) 5 U.S.C. 552a(d)(1), (d)(2), (d)(3), and (d)(4), (e)(4)(G) and (e)(4)(H), and (f), relate to an individual's right to be notified of the existence of, and the right to examine, records pertaining to such individual. Notifying an individual at the individual's request of the existence of records and allowing the individual to examine an investigative file pertaining to such individual, or granting access to an investigative file, could:

(i) Interfere with investigations and enforcement proceedings;

(ii) Constitute an unwarranted invasion of the personal privacy of others;

(iii) Disclose the identity of confidential sources and reveal confidential information supplied by those sources; or

(iv) Disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system. Application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality, thus compromising the agency's ability to conduct investigations and to identify, detect, and apprehend violators.

(4) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. Limiting the system as described would impede enforcement activities because:

(i) It is not always possible to determine the relevance or necessity of specific information in the early stages of an investigation; and

(ii) In any investigation the Office may obtain information concerning violations of laws other than those within the scope of its jurisdiction. In the interest of effective law enforcement, the Office should retain this information to aid in establishing patterns of criminal activity, and to provide leads for those law enforcement agencies charged with enforcing criminal or civil laws.

(d) *Documents exempted.* Exemptions will be applied only when appropriate under 5 U.S.C. 552a(k).

[55 FR 31371, Aug. 2, 1990]

PART 505—FREEDOM OF INFORMATION ACT

AUTHORITY: 5 U.S.C. 552; 12 U.S.C. 1462a, 1463, 1464.

CROSS REFERENCE: See 31 CFR part 1, subpart A.

§ 505.1 Basis and scope.

(a) This part is issued by the Office of Thrift Supervision (''OTS'') as a supplement to the Freedom of Information Act regulations of the Department of the Treasury, 31 CFR part 1, subpart A, which apply to the OTS as a component part of the Department of the Treasury.

(b) This part is issued by the OTS pursuant to the requirement of section 552 of title 5 of the United States Code, which requires every federal agency to publish in the FEDERAL REGISTER the established places at which, the employees from whom, and the methods whereby, the public may obtain information, make submittals on requests, or obtain decisions, and the forms available or the places at which forms and instructions as to the scope and contents of all papers, reports, or examinations may be found. Information about the Public Reading Room is set forth in § 505.2 of this part. Procedures for requests for records are set forth in § 505.3 of this part. Information about administrative appeals is set forth in